



14 December 2010

Via ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Written Ex Parte Presentation*
ET Docket Nos. 09-191 and WC Docket No. 07-52

Dear Ms. Dortch,

My company, Blaze Broadband, provides Fixed Wireless broadband service in Fauquier County Virginia. We rely on unlicensed spectrum to deliver broadband services over the “last mile” to our customers. Most of our customers have no other options for terrestrial broadband. We built our network from nothing to address this need using devices authorized under Part 15 rules the FCC adopted to open up 900 MHz, 2.4 GHz , and 5 GHz spectrum for unlicensed broadband devices. Thanks to the Commission’s past initiatives; consumers and businesses in Fauquier County can now get broadband service.

Unfortunately that broadband service is now in jeopardy. Blaze Broadband is concerned that certain Network Neutrality rules, if adopted, would severely and adversely affect our ability to continue providing our customers with affordable Fixed Wireless broadband services. It is our understanding that although mobile broadband will have a special set of rules, Fixed Wireless broadband, the technology we deliver to rural Virginia today, will be lumped in with traditional wired services operating in the higher density cities, and then be subject to a stricter set of rules. We feel that the Network Neutrality rules imposed on Fixed Wireless broadband should be no more rigid than the rules that will apply to mobile wireless broadband providers. If there has to be rules, the physics of wireless technology necessitate a different approach from wire service.

Many of the proposed rules will destroy our industry, our business and our customers’ Internet experience. We believe wireless networks, either Fixed or mobile, will be unable to operate effectively if the definition of what constitutes “reasonable” network management practices does not account for the unique obstacles faced by small businesses with congested networks, bandwidth constraints, tower and middle-mile access limitations and a lack of investment capital. **For many households in rural America, this will mean the loss of broadband services entirely at a time when the country is seeking ubiquitous coverage for all citizens.**

We need to face the reality that content delivery and demand is outpacing the technology and spectrum available to meet consumer demands, especially for Fixed Wireless networks that have limited spectrum, capacity and throughput. Many regions of our country do not have the wireline broadband infrastructure available to meet this demand. The past has proven that it is often economically unfeasible to build new wireline infrastructure in rural areas; thus Fixed Wireless broadband is often the only economical delivery mechanism to deliver quality broadband services to those households that have been overlooked or bypassed by traditional wireline Internet providers.

It should not be taken lightly that the FCC was charged by the ARRA to write a National Broadband Plan so that all Americans could receive affordable broadband service. If the proposed rules are approved, this one action alone would cripple this goal. Why would the FCC protect one method of wireless broadband delivery and not apply the same good fortune to a similar wireless technology?

In nearly every industry in the world, flow is managed, whether it is sewer systems, drinking water, natural gas, air traffic, electricity, automobiles, or countless other systems. Flow management is essential for orderly delivery of a medium in a safe and effective process. Data is no different. Without proper management, systems will fail and the data highways will be disrupted, leaving millions of businesses and residents without service.

Companies that are funding, building, and maintaining the data highways should be able to control and manage the traffic coming in and out of their network as they see fit, in order to effectively deliver the high levels of sustained traffic that are starting to clog the Internet.

The majority of Fixed Wireless networks have been completely funded with private funds and organic growth. As Internet traffic grows exponentially, Fixed Wireless broadband providers are seeing not only their middle mile transport costs increasing but last mile transport costs increasing as well. Given the state of our current economy, we do not feel that we can pass these increased costs on to our customers. This is not a time to increase regulation in order to satisfy the consumer thirst for more content delivered to their doorstep for the same cost that they are currently paying. The economics just do not justify it.

Our company supports the positions taken by WISPA, the Wireless Internet Service Providers Association in their Ex Parte presentation filed on 10 December 2010.

Sincerely,

A handwritten signature in cursive script, appearing to read "Paul Conlin".

Paul Conlin,
President,
Blaze Broadband
(540) 905-4049